P.02

CASE 4-30730A

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EL987587215US Express Mail Label Number December 16, 2003

Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1639

AUER ET AL.

Examiner: Maurie Garcia Baker

APPLICATION NO: 09/754.958

FILED: JANUARY 5, 2001

FOR: FLUORESCENT DYES (AIDA) FOR SOLID PHASE AND SOLUTION

PHASE SCREENING

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

MEMORANDUM OF INTERVIEW

Sir.

This is in reply to a Notification of Non-Compliance dated November 24, 2003.

Interviews were held with Examiner Wang in the form of a telephone interview and voice mail messages on December 10, 15, and 16, 2003.

The Examiner agreed that the Brief on Appeal dated September 30, 2003 is not defective and that the application will be transferred to another examiner for the preparation of an Examiner's Answer in view of Examiner Baker's temporary leave of absence.

Respectfully submitted,

Novartis Corporate Intellectual Property One Health Plaza, Building 430 East Hanover, NJ 07936-1080

Gabriel Lopez Attorney for Applicants

Reg. No. 28,440 (862) 778-7882

Date: December 16, 2003

1080

Thomas R. Savitsky Senior Patent Attorney Novartis Corporate Intellectual Property One Health Plaza, Building 430 East Hanover NJ 07936-

Tel (862) 778-7909 Fax (973) 781-8064 Internet: thomas.savitsky

@group.novartis.com

U NOVARTIS

Fax

Attention

Examiner Baker

U.S. Patent and Trademark Office

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

From

Thomas R. Savitksy

Novartis

Fах по.

571-273-0805

Number of pages

2 including cover page

Date

March 4, 2004

Concerning

U.S. Patent Application for AUER ET AL.

Application No. 09/754,958 Our Case No. 4-30730A/D1